

# United States Bankruptcy Court District of South Dakota



Charles L. Nail, Jr.  
Clerk

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reply to: Sioux Falls

August 14, 2003

Subject: **Fee for Filing Certain Amendments**

Dear Member of the Bankruptcy Bar:

We are obligated to collect a \$20.00 fee for **each** amendment to a schedule of creditors, a list of creditors, or a mailing list of creditors that is filed (other than an amendment that only corrects a previously listed creditor's address).

We have been drawing a distinction between amendments that are filed on the same day – for which we have been assessing only a single fee – and those that are not – for which we have been assessing a separate fee for each amendment. We recently discovered that nothing in the fee schedule supports our drawing that distinction. We must therefore begin collecting \$20.00 for each amendment, regardless of when it is filed.

This means, for example, that if you file an "Amendment to Schedule F" and an "Amendment to Mailing List of Creditors," we will have to charge you \$40.00, even if you file them on the same day. You could avoid that result – and keep your client's costs down – by incorporating the same changes in a single "Amendment to Schedule F and Mailing List of Creditors," for which we would only have to charge you \$20.00.

If you have questions regarding this memorandum, please feel free to call either of our offices.

Sincerely,

Charles L. Nail, Jr.  
Clerk, U.S. Bankruptcy Court